

REMARKS

Claims 8, 9, 11, 13 to 15, 17, and 19 to 24 are currently pending.

Reconsideration is respectfully requested based on the following.

It is noted that essentially corresponding claims (as previously presented) have been allowed in the corresponding European application. Furthermore, Examiner Blair spoke with Aaron C. Deditch (Reg. No. 33,865) on December 9, 2008, and advised that claims 20 to 23 (and any appropriate dependent claims) contained allowable subject matter.

Claims 8, 9, 11, 13 to 15, 17, and 19 to 24 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. In particular, the Office Action asserts that it is not clear “whether the bus-specific receiving objects are software or hardware elements.” (Office Action, page 3). Although the rejection may not be agreed with, to facilitate matters, independent claims 8 and 14 have been rewritten herein to recite a “*computer implemented* device” and “*hardware implemented* bus-specific receiving objects.” It is believed and respectfully submitted that claims 8 and 14 as presented, as well as their respective dependent claims, as presented, are in compliance with the “machine or transformation” test endorsed by the recent Federal Circuit decision *In re Bilski* for determining whether claimed subject matter is statutory under § 101.

Withdrawal of the 35 U.S.C. 101 rejections is therefore respectfully requested.

Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for a technicality. The antecedent basis has been corrected as suggested by the Office Action.

Withdrawal of the indefiniteness rejection is therefore respectfully requested.

Claims 8, 9, 11, 13 to 15, and 19 to 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,630,101 to Sieffert (“Sieffert”).

Applicants thank the Office for indicating that the claims would include allowable subject matter if rewritten to include “the buffering disclosed in the paragraph beginning on page 5, lines 29 [of the of the present specification]” and to specify that “there is an individual receiving object for each subnet.” (Office Action, page 8). In this regard, independent claims 8 and 14 have been rewritten to include the features in which “*the*

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messages are kept in a wait loop before being relayed” and “each receiving object is individual for each subnet,” as suggested.

Accordingly, it is believed and respectfully submitted that claims 8 and 14, as presented, are allowable, as are their respective dependent claims 9, 11, 13, 15, 17, and 19 to 24.

Withdrawal of the anticipation rejections is therefore respectfully requested.

Claims 8, 9, 11, 13 to 15, and 19 to 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sieffert reference.

Claims 8 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,152,094 to Jannu (“Jannu”).

As explained above, independent claims 8 and 14 have been rewritten to include features which are not disclosed by the applied references, as suggested by the Office, thereby obviating the present obviousness rejections. Accordingly, claims 8 and 14 are allowable, as are their respective dependent claims 9, 11, 13, 15 and 19 to 24.

As further regards all of the obviousness rejections, any Official Notice is respectfully traversed to the extent that it is maintained and it is requested that the Examiner provide specific evidence to establish those assertions and/or contentions that may be supported by the Official Notices under 37 C.F.R. § 1.104(d)(2) or otherwise. In particular, it is respectfully requested that the Examiner provide an affidavit and/or that the Examiner provide published information concerning these assertions. This is because the § 103 rejections are apparently being based on assertions that draw on facts within the personal knowledge of the Examiner, since no support was provided for these otherwise conclusory and unsupported assertions. (See also MPEP § 2144.03).

Withdrawal of the obviousness rejections is therefore respectfully requested.

In view of the foregoing, claims 8, 9, 11, 13 to 15, 17, and 19 to 24 are allowable.

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CONCLUSION

In view of the foregoing, all of the pending claims are allowable. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

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Respectfully submitted,
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